

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMIEL L. WILLIAMS,
Plaintiff,

v.

BRENDA V. FRANCOIS-WILLIAMS,
et al.,
Defendant.

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CIVIL ACTION NO. 19-CV-5130

ORDER

AND NOW, this 13th day of January, 2020, upon consideration of Plaintiff Jamiel L. Williams's Motion to Proceed *In Forma Pauperis* (ECF No. 7), his Prisoner Trust Fund Account Statement (ECF No. 8), and his *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Jamiel Lawrence Williams, #1206613, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of PICC or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Williams's inmate account; or (b) the average monthly balance in Williams's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Williams's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Williams's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is directed to **SEND** a copy of this Order to the Warden of PICC.

4. The Complaint is **DEEMED** filed.

5. The Complaint is **DISMISSED WITH PREJUDICE** as to Defendants State of New York and NYS Dept of Parole pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum.

6. The Complaint is **DISMISSED WITHOUT PREJUDICE** as to Defendants Brenda V. Francois-Williams and Donatein M. Lake Jr. for lack of subject matter jurisdiction for the reasons stated in the Court's Memorandum.

7. The Clerk of Court is **DIRECTED** to update Williams's address to reflect that he is currently housed at the Philadelphia Industrial Correctional Center.

8. The Clerk of Court is **DIRECTED** to mark this case **CLOSED**.

BY THE COURT:

/s/ Eduardo C. Robreno

EDUARDO C. ROBRENO, J.